

STATE OF VERMONT BOARD OF MEDICAL PRACTICE

In re: James A. Most, M.D.

)
)
)
)

Docket No. MPN 94-0902

AMENDMENT TO STIPULATION AND INTERIM CONSENT ORDER

NOW COME James A. Most, M.D. (Respondent), and the State of Vermont, by and through Attorney General William H. Sorrell and Assistant Attorney General James S. Arisman, and agree and stipulate as follows:

1. James A. Most, M.D., Respondent, holds Vermont Medical License Number 042-0010395, issued on May 2, 2002.

2. Jurisdiction vests with the Vermont Board of Medical Practice (Board), pursuant to 26 V.S.A. §§ 1353, 1354, & 1398 and 3 V.S.A. §§ 809 & 814(c).

I.

3. By Stipulation and Interim Consent Order dated October 2, 2002 Respondent agreed to entry of a Board order summarily suspending his license to practice medicine in the State of Vermont for 60 days and agreed, inter alia, to a series of steps that included referral by the Board of his name to the Vermont Practitioner Health Program (VPHP).

4. The parties have conferred and contemplate that forthcoming information from the VPHP program and other sources will be likely to assist the assigned Board investigative committee in weighing all facts and circumstances and recommending to the full Board disposition of this matter. At this time, all such relevant information is not yet available.

II.

5. Respondent continues to cooperate with the Board and to communicate with the Board as to his compliance with the terms and conditions of the Stipulation and Interim Consent Order. Pursuant to Paragraph 8(f) of the October 2, 2002 Stipulation and Interim Consent Order either party may file a motion with regard to the continuance of the initial 60-day period of summary suspension. The parties recently have conferred on this point.

6. Now, pursuant Paragraph 8(f) of the October 2, 2002 Stipulation and Interim Consent Order, the parties jointly request extension of the terms of that order for an additional 30 days following expiration of its initial 60-day period so as to permit the Board to obtain such additional information as may be useful in determining appropriate disposition of this matter. At the end of the new 30 day period either party may file a motion to further continue the terms of the October 2, 2002 Stipulation and Interim Consent Order or to modify such terms, pursuant to Paragraph 8(f) of the October 2, 2002 agreement. All other terms of the October 2, 2002 agreement shall remain the same until modified by the Board.

7. The parties agree that nothing contained herein shall limit Respondent's right to seek at a later date prompt presentation of a formal specification of charges and to demand a prompt hearing on the merits regarding these charges, pursuant to 26 V.S.A. §§ 1354, 1360, 1361 & 1398; 3 V.S.A. § 814(c); and other relevant authorities.

8. This proposed amendment to the October 2, 2002 Stipulation and Interim Consent Order is conditioned upon its acceptance by the Vermont Board of Medical Practice. If the Board rejects any part of this document, the entire agreement shall be considered void. If approved, Respondent agrees to be bound by the terms and conditions of the amended

12/02/02 MON 15:16 FAX 802 828 2154

Stipulation and Interim Consent Order pending further proceedings or order of the Board of Medical Practice.

9. The parties therefore jointly agree that should the terms and conditions of this proposed amendment to the October 2, 2002 Stipulation and Interim Consent Order be deemed acceptable by the Board of Medical Practice, the Board may enter an order extending such agreement, as set forth herein, for an additional 30 days following the date of expiration of the initial 60-day period as set forth therein at Paragraph 8(f).

Dated at Montpelier, Vermont, this 3rd day of December 2002.

WILLIAM H. SORRELL
ATTORNEY GENERAL

by:

James S. Arisman
JAMES S. ARISMAN
Assistant Attorney General

Dated at

BurlingtonVermont, this 3rd day of December 2002.

James A. Most
JAMES A. MOST, M.D.
Respondent.

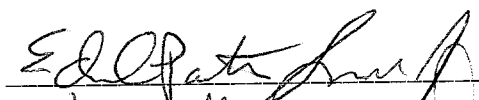
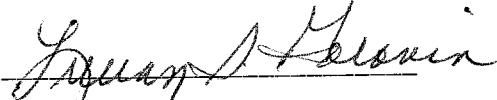
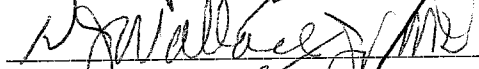
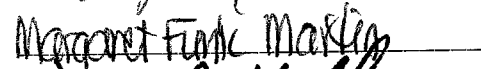

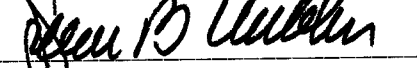
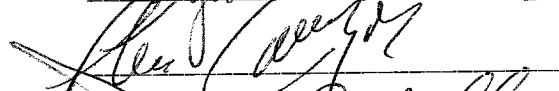
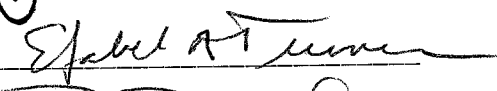
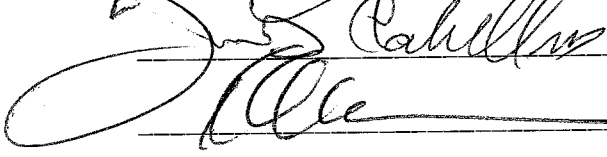
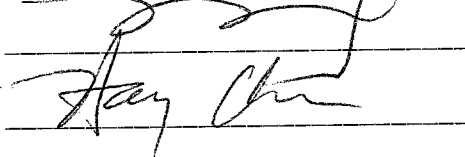
Dated at

BurlingtonVermont, this 3rd day of December 2002.

David F. Silver
DAVID F. SILVER, ESQ.
Counsel for Respondent

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

FOREGOING, AS TO MEDICAL LICENSE OF JAMES A. MOST, M.D.,
APPROVED AND ORDERED
VERMONT BOARD OF MEDICAL PRACTICE

DATED: 12/4/02

ENTERED AND EFFECTIVE: December 4, 2002

JSA: MOST STIPULATION AMENDED; 12/02 (NOT FULLY EFFECTIVE UNTIL
APPROVED BY BOARD)